

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MARCELLO TODARO,

Plaintiff,

v.

WORLD FUEL SERVICES, INC.,

Defendant.

No. C 12-3012 CW

ORDER REGARDING  
PLAINTIFF'S EX  
PARTE MOTION FOR A  
TEMPORARY  
RESTRAINING ORDER  
(Docket No. 2)

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Plaintiff Marcello Todaro has submitted an ex parte application for a temporary restraining order, declaring that the non-compete provisions of his 2004 Employment Agreement with Defendant World Fuel Services, Inc. are void and unenforceable and that he is free to work for Chemoil Corporation, and enjoining Defendant from attempting to enforce those provisions against him in any forum other than this Court.

Plaintiff has not made a sufficient showing to obtain an ex parte temporary restraining order. The Court will defer ruling on Plaintiff's motion until Defendant has an opportunity to respond. Plaintiff must file proof of the date and time that he has served Defendant with his complaint, motion for a temporary restraining order, supporting declarations, proposed order and this Order. Defendant shall file a response to Plaintiff's motion for a temporary restraining order by 12:00 p.m. three court days after it has been served with the aforementioned documents. Plaintiff may, if he wishes, file a reply by 12:00 p.m. the following court day.

1 The Court will take the matter under submission on the papers  
2 and schedule a hearing on Plaintiff's motion for a preliminary  
3 injunction as appropriate.

4 IT IS SO ORDERED.

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6 Dated: June 12, 2012

  
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CLAUDIA WILKEN  
United States District Judge